



Atty. Docket No. 22920.0003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of

John A. GIORDANO et al.

Serial No.: 09/671,283

Group Art Unit: 1617

Filed: 27 September 2000

Examiner: Bahar, Mojdeh

For: METHOD AND COMPOSITION FOR SUPPLEMENTATION OF NUTRITIONAL DEFICIENCIES IN RENAL PATIENTS

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SUPPLEMENTAL REPLY UNDER 37 C.F.R. § 1.114

Commissioner for Patents
Washington, DC 20231

Sir:

In reply to the issues raised by the Examiner in the Advisory Action mailed 4 December 2002 (Paper No. 10), Applicants respectfully request reconsideration of the pending rejections and reexamination of the present application in view of the following remarks.

REMARKS

Applicants' arguments submitted in the Reply and Amendment Pursuant to 37 C.F.R. § 1.116 filed on 13 November 2002 are hereby incorporated herein by reference. Further, Applicants respectfully request entry of the amendments proposed therein. Claims 1, 14-20, 22-30, 36-38, 41, 117-122, and 124-136 are pending in the application.

Referring to the Advisory Action, the Examiner alleges that the Reply and Amendment Pursuant to 37 C.F.R. § 1.116 filed on 13 November 2002 overcomes the "objection and the rejection under 35 USC 102 as to claims 37-52 and 134-136 ONLY." Paper No. 10 at page 2. Applicants respectfully traverse.

Applicants note the Examiner's admission that independent claims 37 and 134 are not anticipated by U.S. Patent No. 5,976,568 ("Riley") and respectfully submit that, in light of the Examiner's admission, the pending rejections of amended independent claims 1 and 117 under 35 U.S.C. § 102 should be withdrawn as well. Specifically, the attention of the